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Date: September 11, 2003

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## COMMENTS:

Re: USAN 09/905,434  
BALING BAG FOR AUTOMATIC BAG LOADING  
Art Unit: 3727  
Our Reference: 59159-9

Attached is a Response to Restriction Requirement in the above-referenced application.

Michael J. Donohue

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<b>TRANSMITTAL FORM</b>  (To be used for all correspondence after initial filing)	Application Number	09/905,434
	Filing Date	July 13, 2001
	First Named Inventor	Timothy B. Main
	Group Art Unit	3727
	Examiner Name	Robyn A. Hylton
	Attorney Docket No.	59159-9

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Michael J. Donohue	22504 PATENT TRADEMARK OFFICE
Signature	<i>Michael J. Donohue</i>	
Date	September 11, 2003	

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Typed or printed name	Gabrielle Collier	
Signature	<i>Gabrielle Collier</i>	Date: September 11, 2003

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Examination  
9-15-03

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Gabrielle Collier

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Timothy B. Main et al.  
Application No. : 09/905,434  
Filed : July 13, 2001  
For : BALING BAG FOR AUTOMATIC BAG LOADING  
Examiner : Robyn A. Hilton  
Art Unit : 3727  
Docket No. : 59159-9  
Date : September 11, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

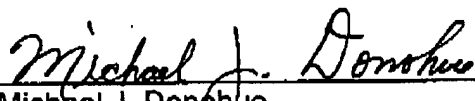
Commissioner for Patents:

In response to the Restriction Requirement dated August 26, 2003, applicants hereby elect the claims of Group II, including claims 1, 3-5, 7-11 and 20 without traverse and without prejudice to the filing of a divisional application.

The Restriction Requirement dated August 26, 2003, incorrectly placed claim 20 in Group I, drawn to the method of manufacturing a bag. Claim 20 is directed to a commercial potato shipping container and is not a method claim. Accordingly, it is believed that claim 20 appropriately belongs in the elected group of claims.

Favorable consideration of the claims and its early allowance are respectfully requested. If questions remain, the Examiner is invited to contact the undersigned at (206) 628-7640.

Respectfully submitted,  
Timothy B. Main et al.  
Davis Wright Tremaine LLP

  
\_\_\_\_\_  
Michael J. Donohue  
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